

THE HONORABLE RICARDO S. MARTINEZ

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

TAMARA LOHR and RAVIKIRAN SINDOGI,
on behalf of themselves and all others similarly
situated,

Plaintiffs,

vs.

NISSAN NORTH AMERICA, INC.

Defendant.

NO. 2:16-cv-01023-RSM

**STIPULATION AND ORDER TO
FURTHER EXTEND CLASS
CERTIFICATION DEADLINES**

Plaintiffs Tamara Lohr and Ravikiran Sindogi (“Plaintiffs”) and Defendant Nissan North America, Inc. (“NNA”) (collectively, the “Parties”) enter into this stipulation with reference to the following facts and recitals:

1. Five other extensions of the class certification briefing schedule have been entered in this matter. ECF Nos. 62, 68, 70, 73, and 75.
2. Following the entry of the Court’s last extension, the Parties have been diligently undertaking discovery.
3. However, in light of the recent outbreak of the novel coronavirus (also called COVID-19) and the associated health risks, the Parties are unable to complete the discovery needed by both parties which includes both additional depositions and vehicle inspections that will require significant travel for lawyers as well as court reporters, videographers, witnesses and experts in time to meet the current deadlines related to class certification and expert witness disclosure.

- 1 4. The Parties are coordinating discovery and class certification deadlines in this action
2 with a companion case filed in the Northern District of California, *Johnson, et al. v.*
3 *Nissan N. Am., Inc.*, Case No. 3:17-cv-00517-WHO.
- 4 5. The Western District of Washington has recognized the serious health risks associated
5 with COVID-19 and has taken steps in response to its recent outbreak, including
6 issuing General Order No. 02-20.
- 7 6. As the result of the outbreak of COVID-19, the Parties have agreed to extend the
8 deadlines in this case and in *Johnson* to accommodate the delays in discovery
9 necessary to ensure the safety and health of the Parties and their counsel.
- 10 7. The Parties have coordinated with counsel in *Johnson* and are seeking entry of a
11 similar scheduling order. If this Court and the *Johnson* court approve these requests,
12 then the two cases will remain on parallel tracks if a resolution is not reached prior to
13 class certification. An extension of the deadlines in this matter, as reflected below,
14 may facilitate on-going informal settlement discussions, and will not be unduly
15 prejudicial to either party.
- 16 8. For the above reasons, the Parties stipulate to extend the deadlines in this matter as set
17 forth below and respectfully request that the Court enter an order accordingly:

| Event | Deadline | Proposed Deadline |
|--|-----------------|--------------------|
| Deadline to file Motion for Class Certification and serve Plaintiffs' expert disclosures and reports | June 19, 2020 | September 17, 2020 |
| Deadline for Plaintiffs to produce experts for deposition | July 30, 2020 | October 28, 2020 |
| Deadline to file opposition to Motion for Class Certification and serve NNA's expert disclosures and reports | October 9, 2020 | January 14, 2021 |

| | | | |
|---|---|------------------------|---------------------|
| 1 | Deadline for NNA to produce experts for deposition | November 13, 2020 | February 18, 2021 |
| 2 | Deadline to file reply regarding Motion for Class Certification | November 25, 2020 | March 2, 2021 |
| 3 | Class Certification Hearing | To be set by the Court | As set by the Court |
| 4 | | | |
| 5 | | | |

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7 IT IS SO STIPULATED.

8 Respectfully submitted,

9 Dated: March 23, 2020

10 By: /s/ Adam A. Edwards

11 On Behalf of Plaintiffs

12 Gregory F. Coleman (*pro hac vice*)

13 Adam A. Edwards (*pro hac vice*)

14 Lisa A. White (*pro hac vice*)

GREG COLEMAN LAW PC

800 S. Gay Street, Suite 1100

Knoxville, Tennessee 37929

Tel: 865.247.0080

greg@gregcolemanlaw.com

adam@gregcolemanlaw.com

lisa@gregcolemanlaw.com

19 Beth E. Terrell (WSBA #26759)

Amanda M. Steiner (WSBA #29147)

20 Benjamin M. Drachler (WSBA #51021)

TERRELL MARSHALL LAW GROUP PLLC

936 North 34th Street, Suite 300

Seattle, Washington 98103-8869

Telephone: (206) 816-6603

bterrell@terrellmarshall.com

asteiner@terrellmarshall.com

bdrachler@terrellmarshall.com

25 Charles Crueger (*pro hac vice*)

Erin Dickinson (*pro hac vice*)

CRUEGER DICKINSON LLC

4532 N. Oakland Avenue

STIPULATION AND ORDER TO FURTHER EXTEND

CLASS CERTIFICATION DEADLINES - 3

CASE No. 2:16-cv-01023-RSM

GREG COLEMAN LAW PC

800 S. Gay Street, Suite 1100

Knoxville, TN 37929

TEL. 865.247.0080 • FAX 865.522.0049

www.gregcolemanlaw.com

1 Whitefish Bay, WI 53211
2 Telephone: (414) 210-3868
3 cjc@gruegerdickinson.com
4 ekd@cruegerdickinson.com

5 Edward A. Wallace
6 **WEXLER WALLACE LLP**
7 55 West Monroe Street, Suite 3300
8 Chicago, Illinois 60603
9 Telephone: (312) 346-2222
10 Facsimile: (312) 346-0022
11 eaw@wexlerwallace.com

12 *Attorneys for Plaintiffs*

13 Dated: March 23, 2020

14 By: /s/ Holly Pauling Smith
15 On Behalf of Defendant

16 William R. Sampson (*pro hac vice*)
17 Holly Pauling Smith (*pro hac vice*)
18 **SHOOK, HARDY & BACON L.L.P.**
19 2555 Grand Boulevard
20 Kansas City, Missouri 64108
21 Tel: 816.474.6550
22 Fax: 816.421.5547

23 Heather A. Hedeem, WSBA #50687
24 **SHOOK HARDY & BACON L.L.P.**
25 701 Fifth Avenue, Suite 6800
26 Seattle, WA 98104
27 Phone: 206-344-7606
hhedeem@shb.com

28 Amir M. Nassihi (SBN 235936)
29 **SHOOK, HARDY & BACON L.L.P.**
30 One Montgomery, Suite 2600
31 San Francisco, CA 94104
32 Tel: 415.544.1900
33 Fax: 415.391.0281
34 anassihi@shb.com

35 *Attorneys for Defendant*

1 **I. ORDER**

2 PURSUANT TO STIPULATION, IT IS SO ORDERED.

3 Dated this 24 day of March 2020.

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5 RICARDO S. MARTINEZ
6 CHIEF UNITED STATES DISTRICT JUDGE
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